

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

VICTORIA DICKS, *on behalf of herself and  
all others similarly situated*,

Plaintiff,

-against-

CHARLET BROTHERS, LLC,

Defendants.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 1/24/2023

1:22-cv-8157 (MKV)

**SCHEDULING ORDER**

MARY KAY VYSKOCIL, United States District Judge:

Defendant submitted a request for a pre-motion conference on its anticipated motion to dismiss the Plaintiff's complaint. [ECF #20.] Plaintiff did not oppose the request. After reviewing the arguments set out in Defendant's submission, the motion for a pre-motion conference is DENIED, and Defendant is GRANTED leave to file a motion to dismiss on the schedule set forth below.

IT IS FURTHER ORDERED that on or before February 1, 2023, Plaintiff must inform the Court via letter whether she intends to amend her complaint. This will be Plaintiff's last opportunity to amend the complaint in response to arguments raised in the Defendant's letter.

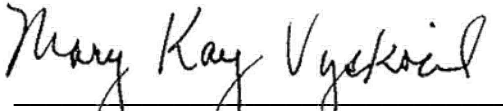
IT IS FURTHER ORDERED that if Plaintiff elects *not* to amend her complaint, Defendant must file its motion to dismiss on or before February 22, 2023. Further briefing shall be submitted on the schedule set forth in Local Rule 6.1(b).

IT IS FURTHER ORDERED that if Plaintiff elects to amend her complaint, the amended complaint is due on or before February 22, 2023. Defendant must respond to any amended complaint within 14 days of its filing. In the event Defendant files a new motion to dismiss, the briefing for that motion will be on the schedule set forth in Local Rule 6.1(b).

Any request for an extension or adjournment shall be made by letter filed on ECF and must be received at least 48 hours before the deadline.

**SO ORDERED.**

**Dated: New York, New York  
January 24, 2023**

  
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**MARY KAY VYSKOČIL**  
**United States District Judge**